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RUEHLO/AMEMBASSY LONDON PRIORITY 2993  
RUEHN/AMEMBASSY OSLO PRIORITY 3080  
RUEHKO/AMEMBASSY TOKYO PRIORITY 2152  
RUEHOT/AMEMBASSY OTTAWA PRIORITY 0847  
RUEHSM/AMEMBASSY STOCKHOLM PRIORITY 0217  
RUEHIL/AMEMBASSY ISLAMABAD PRIORITY 6056  
RUEHBI/AMCONSUL MUMBAI PRIORITY 4510  
RUEHCG/AMCONSUL CHENNAI PRIORITY 6607  
RUEKDIA/DIA WASHDC PRIORITY  
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C O N F I D E N T I A L SECTION 01 OF 02 COLOMBO 000759

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TAGS: PHUM PTER PGOV CE

SUBJECT: SRI LANKA: ICRC NOTES DISTURBING TRENDS SINCE DECEMBER; REPORTS GOOD ACCESS TO GOVERNMENT DETAINEES

REF: COLOMBO 661

Classified By: DCM JAMES F. ENTWISTLE. REASON: 1.4 (B,D).

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THE GOOD NEWS:  
ACCESS TO GSL PRISONERS . . .

¶1. (C) In a May 9 meeting with poloff, ICRC Deputy Head of Mission Peter Krakolinig and Protection Coordinator Christoph Sutter said that they believed that their access to Government-held detainees is very good. Sutter estimated the number of detainees held under Emergency Regulations to whom ICRC has not been given access as "in the tens," rather than hundreds, islandwide. (Note: As of May 9, the Human Rights Commission had recorded 31 complaints of "disappearances" since the April 25 assassination attempt against Army Commander Lt. General Sarath Fonseka.) The day after the GSL launched aerial and artillery strikes against LTTE targets in Trincomalee on April 25-26 the government let ICRC into the affected areas to evacuate wounded, Krakolinig confirmed.

¶2. (C) ICRC access to detainees held by the Liberation Tigers of Tamil Eelam (LTTE) has improved somewhat as well, Sutter reported. The ICRC has access to three LTTE prisons and the Tamil Eelam Police Headquarters in Kilinochchi, where some prisoners are also held. Nonetheless, Sutter emphasized, the LTTE continues to deny ICRC access to prisoners held by the intelligence wing. The ICRC has also established contact with Karuna militants and has made two visits to detainees held by the breakaway faction, securing the release of one prisoner.

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. . . AND THE BAD NEWS:  
SOME DISTURBING TRENDS

¶3. (C) Since December, however, ICRC has noticed some disturbing trends, Sutter commented. In Jaffna, where 40,000 (primarily) Sinhalese Sri Lanka Army (SLA) soldiers are regarded as an occupying force by 600,000 local Tamil civilians, the LTTE operates primarily through civilian front

organizations, and the ICRC observes little direct involvement of LTTE cadres--and thus few reports of LTTE casualties and disappearances. Since December ICRC has received increasing reports of masked armed men in civilian clothes, driving vehicles with obscured or missing license plates, making late-night visits to local residents' homes in Jaffna and Vavuniya. Sometimes these visits have reportedly ended with the resident being escorted out by these mysterious men, not to be seen again, and sometimes the occupants are merely threatened and the armed men leave. Given the number of GSL security forces in Jaffna--especially in the town area--the extensive checking of vehicles now being conducted, and the fact that very few civilians go anywhere at night in Jaffna these days, a plausible supposition is that these unwelcome visitors are somehow connected to, or at least known to, the security forces, Sutter suggested. Acknowledging that in many cases of alleged human rights violations the supposed witnesses are unable to provide sufficiently clear testimony, Sutter noted that ICRC had nonetheless amassed "strong information" in a few cases of possible extrajudicial killings by Government of Sri Lanka (GSL) security forces since December. "Up until December 1, we had no such issue to discuss" with the GSL, Sutter remarked. ICRC is alarmed at what it fears may be the first indications of GSL backsliding toward the bad old days of the late 1980s (during the JVP insurrection) and the 1990s when GSL security forces' involvement in disappearances was more common.

¶4. (C) In Trincomalee, the proximity of Muslim, Tamil and Sinhalese communities to one another adds an overlay of ethnic tension to the mix, Sutter said. ICRC is especially

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concerned by reports that the GSL has distributed small arms to Sinhalese villagers living in areas bordering on Tamil communities with no clear indication that appropriate training and Government direction accompanied the arms distribution. Sutter said ICRC understood that the SLA had been under pressure to increase protection to local residents in Trincomalee after the LTTE killed six Sinhalese villagers on April 23 (Reftel), but noted that all residents--regardless of ethnicity--felt vulnerable and needed protection from the GSL. The all-too rapid materialization of Sinhalese mobs within minutes of the April 12 bombing in the marketplace had fueled suspicion that the gangs had been pre-positioned, Sutter remarked. Increasing the number of guns available in such a volatile atmosphere seems unwise of the GSL, he stressed, adding that the ICRC had made "oral representations" on the subject to the military.

¶5. (C) The situation in Batticaloa is more unpredictable and more "fluid," Krakolinig said, because of the presence of the Karuna faction. Since Batticaloa is the "theatre of a struggle to the death" between the LTTE and its nemesis, casualties run high on both sides--with Tamil civilians also frequently being targeted. ICRC's experience and observations in the field leave little doubt of GSL support for the Karuna faction, Sutter and Krakolinig indicated. Karuna is a particularly "painful subject" for the LTTE, Sutter mused, because it was the first sign of a split in the Tigers' monolithic structure. Karuna's accessibility to the general public during his days as a Tiger military commander had made him especially popular, Sutter said, and the Tigers may fear that he will be able to capitalize on his past popularity at their expense. Part of the LTTE's emphasis on depicting Karuna as a puppet paramilitary of the GSL could be aimed at undermining his former popularity and sidelining him as a potential political alternative, Sutter and Krakolinig speculated.

¶6. (C) Despite the spike in violence (more conflict-related fatalities have occurred in April alone than in the three previous months combined), Krakolinig said the ICRC remains hopeful (of course) that both parties will agree to meet in

Geneva. That said, the local delegation is now engaged in contingency planning for how ICRC should respond if conflict resumes.

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COMMENT  
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17. (C) ICRC representatives were careful to stress that the number of credible disappearances and/or probable cases of extrajudicial killing is not high. At the same time, however, they are obviously concerned that old habits die hard, and that the Sri Lankan military's practices in the not-too-distant past could quickly resume with a vengeance if not checked immediately. People--especially Tamil people--remember those days all too well and are thus only too ready to believe LTTE claims that the military is up to its old "disappearing act" once again. Many of the "cases" reported in pro-LTTE media (and sometimes picked up in mainstream news reports) often turn out to have little to back them up, and purported witnesses may be either too frightened or too suggestible to provide investigating GSL authorities useful information or actionable evidence. But if the ICRC has "strong information" on even a few cases, the GSL needs to investigate as thoroughly and quickly as possible or risk perpetuating the perception that it just doesn't care about violations of Tamil civil rights.

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